



**City of Eureka, CA
City Council Regular Meeting
Tuesday, September 07, 2021
6:00 PM**

COUNCIL CHAMBERS, 531 K STREET EUREKA, CA 95501

AGENDA

ELECTED OFFICIALS

*Mayor Susan Seaman
Councilmember Leslie Castellano, Ward 1
Councilmember Kati Moulton, Ward 2
Councilmember Natalie Arroyo, Ward 3
Councilmember Scott Bauer, Ward 4
Councilmember Kim Bergel, Ward 5*

HOW TO PARTICIPATE IN THE CITY COUNCIL MEETING

Due to the current COVID-19 case increase, the Eureka City Council will meet virtually. Individuals may attend virtually by using the Zoom link below or may e-mail their comment to: Cityclerk@ci.eureka.ca.gov by 4 PM on the day of the meeting. The public may also view the meeting on Cable Channel 10 or at the City's website: ci.eureka.ca.gov

Join Zoom Meeting:

<https://us02web.zoom.us/j/82016149675?pwd=N1JNZERDRjhtUXJoZkFUdzI5RTNJUT09>

Meeting ID: 820 1614 9675

Passcode: 503858

One tap mobile

Phone +16699006833,,82016149675# US (San Jose)

LAND ACKNOWLEDGEMENT

The land that Eureka rests on is known in the Wiyot language as Jaroujiji. Past actions by local, State and Federal governments removed the Wiyot and other indigenous peoples from the land and threatened to destroy their cultural practices. The City of Eureka acknowledge the Wiyot community, their elders both past and present, as well as future generations. This acknowledgement demonstrates the City's commitment to dismantle the ongoing legacies of settler colonialism.

PUBLIC COMMENT

(Limited to 3 minutes each speaker on Closed Session items only)

CLOSED SESSION - 5:00 P.M.

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

Conference with legal counsel - existing litigation

Stacy Cobine, et al v. City of Eureka et al.,

United States District Court Northern District of California, Oakland Division Case No. 16-cv-02239-JSW

Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with legal counsel - existing litigation

Mallinckprodt PLC, et al., Debtors v. State of Connecticut, et al.

United States Bankruptcy Court for the District of Delaware, Case No. 20-12522

Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation

Pursuant to § 54956.9(d) (2) California Government Code (1 Case)

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

National Hispanic Heritage Month

Eureka Neighborhood Beautification Proclamation

PRESENTATIONS

BOARD/COMMISSION REPORTS

PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Members of the Public wishing to address the Council may submit a Speaker Card to the City Clerk and proceed to the podium after being recognized. Speakers will be called up in the order the Speaker Cards are received. Those who have not filled out a Speaker Card will be given an opportunity to speak after all those who have completed Speaker Cards have spoken. The public will be

allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item. Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: A maximum of thirty (30) minutes shall be allotted to receiving public comments at the initial public comment period. If necessary, an additional period shall be allotted to public comments after City Manager Reports, but only if the first 30-minute Public Comment period was not sufficient to allow all those who wished to speak to do so.

A. PUBLIC HEARINGS

Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise, or as soon thereafter as possible.

A.1. Cooke and Callison Alley Vacation

Recommendation: Hold a Public Hearing; and

Order the Street Vacation by adopting the "Resolution of the City Council of the City of Eureka ordering the vacation of the southern 60-foot-wide portion of a City of Eureka alley located between L and M Streets, and Manzanita Avenue and Bryant Street between 1113 Manzanita Avenue (APN 011-212-023) and 3484 M Street (APN 011-212-018) (Project No. SV-21-0001)."

A.2. Allard Avenue Easement Vacation

Recommendation: Hold a Public Hearing; and

Determine the easement to be surplus; and

Determine that vacating the easement will have a cost neutral or positive financial benefit to the City; and

Order the vacation of the easement by adopting a resolution of the City Council "Ordering the Allard Avenue Easement Vacation."

B. CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Pursuant to City Council Resolution 2011-22, if a member of the public would like an item on the Consent Calendar pulled and discussed separately, the request shall be made to a Councilmember prior to the meeting. Unless a specific request is made by a Councilmember, the Consent Calendar will not be read. There will be no separate discussion of these items.

B.1. Council Meeting Minutes

Recommendation: Approve the regular Council minutes of August 17, 2021 as submitted.

B.2. Council Meeting Cancellation

Recommendation: Cancel the regular Council Meeting of September 21, 2021.

B.3. Extension of the Humboldt County Abandoned Vehicle Service Authority Service Fee

Recommendation: Adopt a resolution of the City Council confirming the extension of the Abandoned Vehicle Abatement Program

B.4. Waterfront Drive Connection Phase II (G to J) - Acceptance

Recommendation: Accept the Waterfront Drive Connection Phase II Bid No. 2019-17 and authorize the filing of a "Notice of Completion" at the Office of the County Recorder.

B.5. Salary and/or Supplemental Benefits for Unrepresented Employees (Management, Mid-Management, Confidential Classifications)

Recommendation: Adopt resolution of the City Council approving Salary and/or Supplemental Benefits for Unrepresented Employees (Management, Mid-Management, Confidential Classifications).

B.6. Position Modifications and Payrate Adjustment

Recommendation: Adopt a Resolution of the City Council to implement classification modifications to certain classifications within the City's Classification and Compensation Plan in order to align classification titles and payrates more appropriately with local labor market standards.

B.7. Police Property Technician Position

Recommendation: Adopt a Resolution of the City Council to reallocate a full-time Police Property Technician position to the Police Department –in order to maintain and enhance department operations.

B.8. Board and Commission Appointments

Recommendation: Approve the Mayor's appointments and re-appointments to Boards and Commissions.

C. ORDINANCES/RESOLUTIONS

C.1. Bill No. 1005 Public Education and Government Access Channel Support Amendment

Recommendation: Waive full reading, read by title only and Introduce Bill No. 1005-C.S., an Ordinance of the City of Eureka ADDING SECTION 114.63.B.(5) TO TITLE XI, CHAPTER 114 PUBLIC EDUCATIONAL, AND GOVERNMENT ACCESS CHANNEL CAPACITY SUPPORT, INTERCONNECTION, AND SIGNAL CARRIAGE.

C.2. SC Zone Metal Shipping Container Text Amendment TA-21-0001

Recommendation: Waive full reading, read by title only, and adopt Bill No. 998-C.S., an Ordinance of the City of Eureka amending Eureka Municipal Code Chapter 155 pertaining to Metal Shipping Containers.

C.3. Harbor Regulations - Ordinance

Recommendation: Waive full reading, read by title only and adopt Bill No. 1004-C.S. AN ORDINANCE OF THE CITY OF EUREKA AMENDING SECTION 100.14 TO TITLE IX CHAPTER 100 – HARBOR REGULATIONS PROVISION

C.4. Bill No. 1001-C.S. Boards, Commissions and Committees

Recommendation: Waive full reading, read by Title only and adopt Bill No. 1001-C.S. “An Ordinance of the City of Eureka Repealing Chapter 33 “Other Departments, Boards and Commissions” Sections 33.01 through 33.208: and Replace with Chapter 33 “Boards Commissions, and Committees” Sections 33.001 through 33.207 of Title III Administration

C.5. Bill No. 1000-C.S. City Departments

Recommendation: Waive full reading, read by Title only and introduce Bill No. 1000-C.S. “An Ordinance of the City of Eureka Repealing Chapter 32 Sections 32.001 through 32.56: Police and Fire Departments and Replacing with Chapter 32: City Departments Sections 32.01 Through 32.082 of Title III Administration

C.6. Bill No. 1002-C.S. Security and Fire Alarm Systems

Recommendation: Waive full reading, read by Title only and adopt Bill No. 1002-C.S. “An Ordinance of the City of Eureka Adding Title IX, Chapter 103, Sections 103.01 through Section 103.22 – Private Security and Fire Alarm Systems.

D. REPORTS/ACTION ITEMS

D.1. Authorization to Release Request for Proposal (RFP) for the Waterfront Specific Plan

Recommendation: Receive report; and
Adopt “A Resolution of the City Council of the City of Eureka authorizing the release of the Request for Proposal (RFP) for a Waterfront Specific Plan.”

D.2. Diversity Plan – Mission, Vision and Values

Recommendation: Adopt Mission, Vision and Values Statements, developed through the City’s Diversity, Equity and Inclusion Plan.

E. FUTURE AGENDA ITEMS

This is an opportunity for Council Members request an item be placed on a future agenda for discussion or consideration. Direction to staff for placement of the item must be by majority consensus.

F. CITY MANAGER REPORTS

F.1. Cannabis Update

G. COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.

Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Eureka, CA 95501.

The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

- 1. We may disagree, but we will be respectful of one another.*
- 2. All comments will be directed to the issue at hand.*
- 3. Personal attacks are unacceptable*
- 4. Applauding or other displays of approval/disapproval are discouraged.*

Regular City Council meetings are broadcast live by Humboldt Access on Cable Channel 10 and live streamed on the City's web site at www.ci.eureka.ca.gov.

To minimize distractions, please be sure all personal communications devices are on silent mode.

Questions? Please e-mail cityclerk@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.